

Appl. No. 10/083,986
Amdt. Dated July 6, 2004
Reply to Office Action of May 5, 2004

REMARKS

The Final Office Action mailed on May 5, 2004, is acknowledged. Applicants request re-examination of the above-mentioned application in view of the following remarks.

The Examiner has rejected claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over a Leverage Opener produced by Barrel Accessories and Supply Company and identified as item #1260 in view of Cooper, Goldman, McElroy, or Pierre. Specifically, the Examiner believes:

The invention as claimed in claims 1-14 is disclosed by the Leverage Opener, item 1260, except that the flange of the tool has a planar, or flat, edge rather than having a plurality of open end wrench heads, the wrench heads differing in size from one another. Either Cooper (135,084), Goldman (2,705,433), McElroy (1,222,780), or Pierre (D 142,263), respectively, disclose a double ended tool, each end of which has a driving element for turning a fastener or other intended workpiece, and each, respectively teach that it would be desirable to provide a flange, or other means, for incorporating, or combining a plurality of open end wrench heads along the main body of the tool such that the tool serves to meet a variety of applications while having the convenience of meeting those functions with one tool, rather than a plurality of tools. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Leverage Opener, item 1260, by providing means for including a plurality of open end wrench heads, as the combination of the double-ended tool and a plurality of open end wrench heads in one tool has been clearly suggested by either Cooper (135,084), Goldman (2,705,433), McElroy (1,222,780), or Pierre (D 142,263) respectively.

Applicants respectfully disagree.

In rejecting claims 1-14, the Examiner fails to explain which of the cited references teach all of the limitations recited in the dependent claims, as originally filed. Accordingly, Applicants have amended claim 1 to include limitations recited in the dependent claims that are not expressly taught by the cited references.

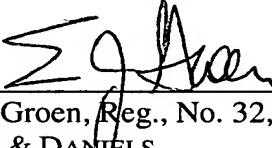
For example, the Examiner has failed to cite any prior art disclosing that the bend formed in the body of the wrench has an angle of 140 degrees. Moreover, the art cited by the

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Examiner does not teach orientating the tool heads at an angle of about 100 degrees with respect to the end portion, as now set forth in claim 1. Accordingly, Applicants believe that since claim 1, as amended, includes these claim limitations, in addition to others; claim 1 is allowable over the BASCO Leverage Opener, item #1260 in combination with any of Cooper, Goldman, McElroy, or Pierre. Furthermore, as all pending dependent claims ultimately depend from claim 1, Applicants believe that all currently pending claims are also in condition for allowance.

For all of the foregoing remarks, Applicants believe that all of the pending claims are in condition for allowance, and respectfully request passage thereof. If necessary to affect a timely response, please consider this paper a request for an extension of time, and charge any shortages in fees, or apply any overpayment credits, to Baker & Daniels' Deposit Account No. 02-0387 (85963.4426). However, please do not include the payment of issue fees.

Respectfully submitted,

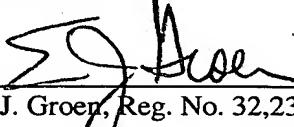

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

Date


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